

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ABDUL AL-HAKEEM AFIZ,

Plaintiff,

v.

MICHAEL REAGEN,

Defendant.

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No. 4:15-CV-0262-RWS

MEMORANDUM AND ORDER OF TRANSFER

This matter is before the Court upon its own motion. A review of the instant complaint indicates that venue is improper in this district. Therefore, the Court will transfer this case to the United States District Court for the Western District of Missouri.

Plaintiff brings this action under 42 U.S.C. § 1983. The named defendant is located in the Western District of Missouri, and all of the events described in the complaint occurred in the Western District of Missouri.

Under 28 U.S.C. § 1391(b), an action of this type may be brought only in: "(1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located; (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action."

Because the defendant is located in the Western District, and because the events that gave rise to this case occurred in the Western District, venue is proper in the Western District of

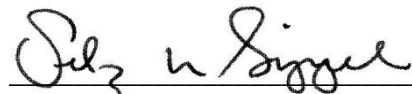
Missouri.

Under 28 U.S.C. § 1406(a), "The district court of a district in which is filed a case laying venue in the wrong division or district shall dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought." Because plaintiff is proceeding pro se, the Court finds that it is in the interest of justice to transfer this case to the United States District Court for the Western District of Missouri.

Accordingly,

IT IS FURTHER ORDERED that the Clerk shall transfer this case to the United States District Court for the Western District of Missouri. *See* 28 U.S.C. § 1406(a).

Dated this 12th day of February, 2015.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE